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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,965	03/30/2001	Lev Brouk	GRCN001/03US	3908

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EXAMINER

ZHONG, CHAD

ART UNIT PAPER NUMBER

2152

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,965

Applicant(s)

BROUK ET AL.

Examiner

Chad Zhong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 12/14/2004.

Claims 1-34 are presented for examination.

2. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 13 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. "computer program product" and "computer program code" is not operating on a tangible medium, thus rendering them non-statutory.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-5, 7-19, 21-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Cookmeyer, II et al. (hereinafter Cookmeyer), US 6,526,044.

7. As per claim 1, Cookmeyer teaches a message routing method, comprising:

(a) invoking a first service during a logical routing of a message in a message routing network, said first service invocation having a first context (Col. 18, lines 50-67; Col. 17, lines 35-50; Col. 12, lines 15-45, wherein the context information is the information being entered by the client, based on the answers to particular questions different monitoring sessions will be setup in the network for monitoring purposes); and

(b) invoking a second service during said logical routing of said message in said message routing network, said second service invocation having a second context that is defined at least in part by said first service (Col. 17, lines 35-50, wherein the second services can be plurality of monitoring services not limited to 'detection of backdoor bridge suspected', 'Detect duplicate MAC addresses on separate source-routed segments'; Fig 11A, B, Col. 20, lines 1-45; Col. 12, lines 15-45, wherein the solution is a result of series of questions that are related to each other, questions leads to further questions finally leading to the solution of the problem).

8. As per claim 2, Cookmeyer teaches the message routing method of claim 1, wherein a context to an invocation includes an identity of an invoker service (Col. 17, lines 45-50).

9. As per claim 3, Cookmeyer teaches the message routing method of claim 1, wherein a context to an invocation includes arguments to an invoked service (Col. 17, lines 52-67).

10. As per claim 4, Cookmeyer teaches the message routing method of claim 1, wherein a context to an invocation includes a session identifier for said message (Col. 17, lines 45-50).

11. As per claim 5, Cookmeyer teaches the message routing method of claim 1, wherein a context to an invocation includes a topic for said message (Col. 20, lines 55-65).

12. As per claim 7, Cookmeyer teaches the message routing method of claim 1, wherein said message routing network controls at least part of an invocation (Col. 18, lines 5-20, lines 50-67).

13. As per claim 8, Cookmeyer teaches the message routing method of claim 1, wherein a context of an invocation is included at least in part in a header element of a message (Col. 14, lines 30-32).

14. As per claim 9, Cookmeyer teaches the message routing method of claim 1, wherein a context of an invocation is included at least in part in a body element of a message (Col. 17, lines 35-40, wherein the body of the message has fields).

15. As per claim 10, Cookmeyer teaches the message routing method of claim 1, wherein a context of an invocation is included at least in part in an attachment of a message (Col. 17, lines 35-40).

16. As per claim 11, Cookmeyer teaches the message routing method of claim 1, further comprising restoring said context, upon return from said second service invocation, to said first context (Col. 1, lines 60-67, wherein Cookmeyer's system detects the errors in order to identify them for efficient error fix).

17. As per claim 12, Cookmeyer teaches the message routing method of claim 1, further comprising adding a returned context from said second service invocation to said restored context (Col. 18, lines 5-20, lines 50-67, wherein suggestions to problems are presented).

18. As per claim 13, claim 13 is rejected for the same reasons as rejection to claim 1 above.

19. As per claim 14, Cookmeyer teaches a message routing system, comprising:

a message routing network that enables message routing between a plurality of services, wherein said routing is based on a logical routing of said message that is effected through a sequence of invocations among said plurality of services, wherein a context of an invocation is defined at least in part by an invoking service, wherein upon return from a service invocation, said message routing network restores a

message context to a context state of an invoking service of said service invocation (Fig 11A, B; Col. 1, lines 60-67).

20. As per claim 15, claim 15 is rejected for the same reasons as rejection to claim 8 above.

21. As per claim 16, Cookmeyer teaches the message routing system of claim 14, wherein a context to an invocation includes an identity of an invoker service (Col. 17, lines 45-50).

22. As per claim 17, Cookmeyer teaches the message routing system of claim 14, wherein a context to an invocation includes arguments to an invoked service (Col. 17, lines 35-50).

23. As per claims 18-19, 21, claims 18-19, 21 are rejected for the same reasons as rejection to claims 4-5,7 above respectively.

24. As per claim 22, Cookmeyer teaches the message routing system of claim 14, wherein said logical routing occurs prior to a physical routing of a message (Col. 17, lines 35-40, Col. 18, lines 50-67, wherein the packet is first examined for its destination prior to physical forwarding to the actual destination).

25. As per claim 23, Cookmeyer teaches the message routing system of claim 14, wherein at least part of said logical routing occurs after initiation of a physical routing of a message (Col. 18, lines 50-67, herein the routing has started, and errors are detected from the physical route).

26. As per claim 24, Cookmeyer teaches the message routing system of claim 14, wherein physical routing of a message occurs at identified points during said logical routing (Col. 11, lines 35-40).

27. As per claims 25-27, claims 25-27 are rejected for the same reasons as rejection to claims 8-10 above respectively.

28. As per claim 28, Cookmeyer teaches a message routing method, comprising:

(a) invoking a first service that receives only logical delivery of an application message, said application message received over a public network, wherein said first service invocation has a first context defined at least in part by a first invoking service (Col. 15, lines 40-65, wherein the first service monitors particular aspect of the client as defined by packet parameters);

(b) invoking a second service, said second service invocation having a second context that is defined at least in part by said first service, wherein said second service invocation is managed by a message routing network on behalf of said first service (Fig 11A, B); and

(c) delivering said message having said second context to said second service over said public network (Fig 2; Fig 7).

29. As per claim 29-33, claims 29-33 are rejected for the same reasons as rejection to claims 1, 8, 2-5 above respectively.

Claim Rejections - 35 USC § 103

30. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

31. Claims 6, 20, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cookmeyer, II et al. (hereinafter Cookmeyer), US 6,526,044, in view of Eggleston et al. (hereinafter Eggleston), US 2002/0013854.

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32. As per claim 6, Cookmeyer does not explicitly teach the message routing method of claim 1, wherein a context to an invocation includes billing responsibility for said invocation

In a similar but non-identical system, Eggleston teaches:

wherein a context to an invocation includes billing responsibility for said invocation ([0056-0057]).

Eggleston's system provides a centralized billing system in order to allow users and their managers to control the level of messaging during a billing cycle.

It would have been obvious to combine teachings of Cookmeyer and Eggleston in order to provide for a centralized total in period billing statements, and to allow users and their managers to effectively manage the level of messaging during a billing cycle ([0006]).

33. As per claim 20, 34, claim 20, 34 are rejected for the same reasons as rejection to claim 6 above.

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

"System And Method For Outing Messages Between Applications".

- | | | |
|------|------------|----------------|
| i. | US 6529489 | Kikuchi et al. |
| ii. | US 5255389 | Wang |
| iii. | US 5333312 | Wang |
| iv. | US 6091714 | Sensel et al. |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this

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application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ

April 16, 2005

Bradley Edelman
Art Unit 2153